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EXAMINER
ANWAH, OLISA

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/686,107	Applicant(s) D'ANGELO ET AL.	
	Examiner Olisa Anwah	Art Unit 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *15 October 2003*.
2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-35* is/are pending in the application.
  4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☒ Claim(s) *24* is/are allowed.
6)☒ Claim(s) *1-22 and 26-35* is/are rejected.
7)☒ Claim(s) *4 and 23* is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  a)☐ All b)☐ Some * c)☐ None of:
    1.☐ Certified copies of the priority documents have been received.
    2.☐ Certified copies of the priority documents have been received in Application No. _____.
    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
  Paper No(s)/Mail Date *4/12/2005*.
4) ☐ Interview Summary (PTO-413)
  Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim 4 is objected to because the term intermediate network lacks proper antecedent basis.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
>
> (e) the invention was described in-
> (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or
> (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

3. Claims 1-4, 6 and 11 are rejected under 35 U.S.C. § 102(b) as being anticipated by Agraharam et al, U.S. Patent No. 6,085,231 (hereinafter Agraharam).

Regarding claim 1, Agraharam discloses a system for supporting a messaging service, comprising:

a first translation gateway for use between (a) a customer data network that is accessed, by those authorized by a customer of the messaging service, to receive a message via a client process, and (b) a hostile data network, the gateway having translation functionality that is applied to a plurality of inbound messages, arriving via a hostile network, in a manner that is transparent to recipients of said inbound messages who experience the messages via a plurality of client processes running in the customer network; and

a second translation gateway for use between (a) the hostile data network and (b) a network of a provider of said messaging service, wherein the service provider network implements a distributed interface to a telephony network from which the inbound messages originate, the second gateway to forward the inbound messages to the first gateway through the hostile network in a manner that precludes unauthorized access to the content of the inbound messages (see Figures 1 and 2).

Regarding claim 2, see columns 2 and 3.

Regarding claim 3, see columns 2 and 3.

Regarding claim 4, see Figure 1.

Regarding claim 6, see abstract.

Regarding claim 11, see column 3.

4. Claims 13-19 rejected under 35 U.S.C. § 102(e) as being anticipated by Hamilton et al, U.S. Patent No. 6,981,023 (hereinafter Hamilton).

Regarding claim 13, Hamilton discloses a system for supporting a messaging service, comprising:

a first translation gateway for use between a) a customer data network that is administered by a customer of the messaging service and not by a provider of the messaging service and b) a hostile data network; and

a second translation gateway for use between a) the hostile data network and b) a service provider network that is administered by the provider and not by the customer,

wherein the service provider network implements a distributed interface to a telephony network into which a message, that originates in the customer data network and arrives via the first translation gateway and the hostile network, is transmitted by the interface, the first gateway having translation functionality that is applied to a plurality of outbound messages originating from a plurality of client processes in the customer network, in a manner that is transparent to users of said plurality of client processes, the plurality of outbound messages being addressed to the service provider network, and

the first gateway being designed to then forward the plurality of outbound messages to the second translation gateway through the hostile data network (see Figure 3).

Regarding claim 14, see column 5.

Regarding claim 15, see column 5.

Regarding claim 16, see column 4.

Regarding claim 17, see column 4.

Regarding claim 18, see column 8.

Regarding claim 19, see column 5.

5. Claims 26-35 are rejected under 35 U.S.C. § 102(e) as being anticipated by Gifford et al, U.S. Patent No. 6,549,612 (hereinafter Gifford).

Regarding claim 26, Gifford discloses a system for providing a messaging service, comprising:

a media server to capture an inbound message that has been addressed to a circuit switched network address assigned to a subscriber of the service, the server being a node of a private data network of a provider of the service;

a storage device within the private data network, to store the captured inbound message for the subscriber; and

a messaging application server being a further node of the private data network, to send a resource locator link over a hostile data network to a data network address of the subscriber, wherein the stored inbound messages is then sent to a client process, used by the subscriber, in response to the link being invoked by the subscriber, and wherein the stored inbound message is sent, under the direction of the messaging application server, over the hostile data network and in a manner that maintains the privacy of the message (see Figure 5).

Regarding claim 27, see column 6.

Regarding claim 28, see Figure 6.

Regarding claim 29, see Figure 2.

Regarding claim 30, see Figure 3.

Regarding claim 31, Gifford discloses an article of manufacture, comprising:

a machine-readable medium having data stored therein that when accessed by a processor receives an indication, over a private data network of a messaging service provider, that an inbound message, addressed to a circuit switched network address assigned by the service provider to a subscriber who pays the service provider for a secure messaging service, has been received for the subscriber, and in response sends a resource locator link over a hostile data network to a client process of the subscriber, and then sends the inbound message from storage in the private data network to a data network address of the subscriber in response to link being invoked by the subscriber, wherein the inbound message is encrypted before being sent over the hostile data network to the subscriber's data network address (see Figure 5).

Regarding claim 32, see column 6.

Regarding claim 33, see Figure 6.

Regarding claim 34, see Figure 2.

Regarding claim 35, see Figure 3.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claim 5 is rejected under 35 U.S.C § 103(a) as being unpatentable over Agraharam in view of Gifford.

Regarding claim 5, Agraharam fails to teach the inbound messages originate as facsimile messages. At any rate, Gifford discloses this feature (see Figure 5). And so, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Agraharam wherein the inbound messages originate as facsimile messages as taught by Gifford. This modification would have improved the system's flexibility by handling different types of incoming messages as suggested by Gifford.

8. Claim 7 is rejected under 35 U.S.C § 103(a) as being unpatentable over Agraharam in view of Roch et al, U.S.

Patent Application Publication No. 2005/0088977 (hereinafter Roch).

Regarding claim 7, Agraharam does not disclose the first translation gateway and the second translation gateway are nodes of a VPN so that the inbound messages can be passed between the first and second gateways through a VPN tunnel. At any rate, Roch discloses this limitation (see Figure 1). And so, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Agraharam with the VPN of Roch. This modification would have improved the system's reliability by providing a secure service as suggested by Roch (see paragraph 0003).

9. Claims 9 and 10 are rejected under 35 U.S.C § 103(a) as being unpatentable over Agraharam in view of Hamilton.

Regarding claim 9, nowhere does Agraharam disclose the first gateway includes further translation functionality that is applied to outbound messages, originating with the plurality of client processes in the customer network and addressed to the service provider network, in a manner that is transparent to users of the plurality of client processes, and wherein the first translation gateway is designed to then forward the outbound messages to the second translation gateway through the hostile data network. At any rate, Hamilton discloses this feature (see Figures 2 and 2A). And so, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Agraharam with the message routing system of Hamilton. This modification would have improved the convenience of Agraharam by removing the burden of maintaining both an email address and a telephone number for each person in one's contact list as suggested by Hamilton (see column 17).

Regarding claim 10, Agraharam as modified by Hamilton, teaches the outbound messages are addressed to outbound, circuit switched network addresses, and contain one of voice and facsimile data, the service provider network implements a distributed interface to a telephony network for transmitting the outbound messages to their outbound, circuit switched network addresses (see column 4 of Hamilton).

10. Claims 20-22 are rejected under 35 U.S.C § 103(a) as being unpatentable over Agraharam combined with Hamilton in further view of Roch.

Regarding claim 20, Agraharam discloses a method for providing a secure messaging service, comprising:

assigning a separate set of circuit switched network addresses to each of a plurality of corporate subscribers of the messaging service,

associating the set of circuit switched network addresses for each subscriber with an internet domain of said subscriber;

receiving one of a) an inbound fax message and b) and inbound voice message that has been addresses to one of the set of circuit switched network addresses of a given subscriber; and

transferring the inbound message to a first translation gateway that is configured to service the given subscriber, wherein the inbound message is addressed to the internet domain of the given subscriber; and

sending from the first translation gateway the inbound message in a privacy-maintaining manner over a hostile data network of which the first and second translation gateways are separate nodes, wherein the second translation gateway is administered by the given subscriber and is to forward the inbound message to an affiliate of the given subscriber over an internal data network of the given subscriber of which the second translation gateway is a node (see Figures 1 and 2).

Further regarding claim 20, Agraharam does not explicitly mention that some of the sets of circuit switched network addresses are in different countries. Regardless, Hamilton covers this feature (see column 9). Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Agraharam wherein some of the sets of circuit switched network addresses are in different countries as shown by Hamilton. This modification would have improved the system's flexibility by servicing all possible telecommunications numbers as suggested by Hamilton (see column 9).

Still on the issue of claim 20, the combination of Agraharam and Hamilton fails to teach the communication from the first translation gateway to the second translation gateway occurs over a predefined port of a second translation gateway. Nonetheless, Roch discloses this limitation (see Figure 1). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Agraharam and Hamilton wherein the communication from the first translation gateway to the second translation gateway occurs over a predefined port of a second translation gateway as taught by Roch. This modification would have improved the system's reliability by providing secure services as suggested by Roch (see paragraph 0003).

Regarding claim 21, see Figure 2 of Agraharam.

Regarding claim 22, see Figure 1 of Agraharam.

11. Claims 8 and 12 are rejected under 35 U.S.C § 103(a) as being unpatentable over Agraharam in view of Nelson et al, U.S. Patent No. 6,741,705 (hereinafter Nelson).

Regarding claim 8, Agraharam does not disclose the second gateway is to use public keys to encrypt the inbound messages before sending them to the first gateway via the hostile network, and the first gateway is to use private keys to decrypt the inbound messages prior to forwarding them to the plurality of client processes. All the same, Nelson covers this feature (see Figures 4 and 5). Hence, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Agraharam with the keys of Nelson. This modification would have improved the system's reliability by preventing unauthorized access to the messages as suggested by Nelson (see column 1).

Regarding claim 12, nowhere does Agraharam disclose the first and second translation gateways are to exchange a set of security certificates, wherein all of the plurality of inbound messages, received on behalf of a given corporate customer over a plurality of different circuit-switched network addresses, respectively, are encrypted by the second translation gateway using the set of certificates. All the same, Nelson covers this feature (see Figures 4 and 5). Hence, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Agraharam with the keys of Nelson. This modification would have improved the system's reliability by preventing unauthorized access to the messages as suggested by Nelson (see column 1).

Allowable Subject Matter

12. Because Hamilton does not disclose verifying that an account of the given subscriber is current, in response to obtaining the outbound message, claim 24 is allowed. For the same reasons, claim 23 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olisa Anwah whose telephone number is 571-272-7533. The examiner can normally be reached on Monday to Friday from 8.30 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 571-272-7547. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications and 571-273-8300 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

OA

Olisa Anwah

Olisa Anwah
Patent Examiner
April 14, 2008